

## **Administrator, Ethics Commission**

(Position #039216)

### **POSITION SUMMARY**

Under the general policy direction of the Ethics Commission, this individual is responsible for providing the administrative leadership and support necessary to enable the Commission to carry out its statutory functions with respect to the administration and enforcement of Wisconsin's code of ethics for state government officials, lobbying laws, campaign finance laws, and the contract sunshine act.

This individual serves as a representative of the Commission and provides administrative leadership and support to the Commission in such areas as rule development; drafting and review of proposed legislation; data collection, analysis, and dissemination; identification of problems which may require investigation or interpretation; preparation of special reports; preparation for Commission meetings; and in other areas the Commission may assign.

The Administrator, within categories of offenses that the Commission has prescribed, may compromise and settle matters without a formal investigation, if the settlement involves a payment of \$2,500 or less. The Administrator furnishes the Commission with the names of qualified investigators, manages investigations of possible violations of statutes that the Commission administers, and reports investigation results to the Commission for their disposition. The Administrator, at the Commission's direction, files civil complaints and provides the Commission with the names of qualified individuals to serve as special counsel.

### **Duties and Responsibilities**

"The Ethics Commission has the responsibility for administration of ch. 11, subch. III of ch. 13, and subch. III of ch. 19." [§19.49 (1)]

**A. Campaign finance laws** – [Chapter 11] This position is responsible for administration of Wisconsin's campaign finance laws, including:

1. Collection of information:
  - a. Registration of candidates for state office and for committees and individuals acting in support or opposition to candidates for state office [§§11.0201, 11.0301, 11.0401, 11.0501, 11.0601, 11.0701]
  - b. Registration of groups and individuals acting in support or opposition to the circulation and filing of petitions to recall individuals holding state elective offices [§§9.10(2)(d) and 11.0901]
  - c. Registration of groups and individuals acting in support of or opposition to statewide referenda [§11.0801]
  - d. Prescription of forms and instructions pertaining to reports, statements, and forms required by Wisconsin's campaign finance laws [§11.1304(1)]
  - e. Furnishing every registrant forms for making reports and statements of campaign contributions and expenditures [§§11.1304(1) and (2)]

- f. Preparation and publication of a manual describing the requirements of Wisconsin's campaign finance laws and setting forth uniform methods of bookkeeping and reporting [§11.1304(3)]
- g. Developing a filing, coding, and cross-indexing system that furthers the purposes of Wisconsin's campaign finance laws [§11.1304(4)]
- h. Compilation and maintenance of an electronic system of all reports and statements pertaining to each registered committee [§11.1304(7)]
- i. Facilitation of public inspection of campaign finance reports and statements through the commission's Internet site [§11.1304(12)]
- j. Preparation and publication of special reports comparing totals and categories of contributions and disbursements [§11.1304(14)]
- k. Maintain records of "independent expenditures" [§11.1304(8)]
- l. Make available for public inspection a list of delinquents [§11.1304(16)]
- m. Receive and maintain reports filed with the Board under the federal election campaign act [§11.1304(11)]
- n. Determine whether each financial report and statement conforms to the requirements of Wisconsin's campaign finance laws and promptly send notices of noncompliance when merited [§§11.1304(9) and (10)]
- o. Require a registrant who accepts contributions of more than \$1,000 per campaign period to file campaign finance reports in an electronic format [§11.1304(6)]

2. Dissemination of information:

- a. Creation, deployment, maintenance, and improvement of searchable online information about contributions to campaign committees and the committees' expenditures
- b. Compilation and publication of information about campaign contributions and expenditures that invites attention to their amount and nature

**B. Lobbying laws** – [Subchapter III of Chapter 13] This position is responsible for administration of Wisconsin's lobbying laws, including:

1. Collection of information:

- a. Prescription of forms and instructions pertaining to lobbying [§13.685 (1)]
- b. Licensing and authorization of lobbyists [§§13.63 (1) and 13.65]
- c. Registration of lobbying principals [§13.64]
- d. Identification of bills, rules, budget subjects, and topics that organizations attempt to influence [§13.67]
- e. Semi-annual statements of lobbying activities and expenditures [§13.68]
- f. Legislative activities of state agencies [§13.695]

2. Dissemination of information:

- a. Maintenance and improvement of searchable online lobbying information
- b. Compilation and publication of lobbying information that invites attention to the amount and nature of lobbying influences on Wisconsin's government

**C. Code of ethics for state public officials** – [Subchapter III of Chapter 13] This position is responsible for administration of Wisconsin's Code of Ethics for State Public Officials, including:

1. Collection of financial information:

- a. Prescribe Statement of Economic Interests forms and instructions [§19.48 (2)]
- b. Candidates [§19.43 (4)]
- c. Nominees [§19.43 (3)]
- d. Appointees [§19.43 (2)]
- e. Annual update of information [§19.43 (1)]
- f. Investment Board's members and staff [§19.43 (5)]

2. Dissemination of financial information:

- a. Online index to officials' financial interests [§19.48 (6)]
- b. Identification of requestors and notice to filers [§19.48 (8)]
- c. Referral of nominees' Statements for Senators' review [§19.43 (3)]
- d. Investment Board's members and staff [§19.55 (2) (c)]

**D. Contract Sunshine Act** – [§19.48 (1)] This position is responsible for administration of Wisconsin's Contract Sunshine Act, including:

- 1. Collection of purchasing information [§19.48 (11)]
- 2. Dissemination of purchasing information via searchable online database that permits identification of which offices and agencies are purchasing which goods and services from which vendors and by which process [§19.48 (11)]

**E. Compliance** – This position is responsible for compliance with reporting requirements of campaign finance, lobbying, ethics code, and contract sunshine

- 1. Develop and oversee a system of procedures, seminars, and reminders to foster compliance
- 2. To enhance the integrity of information reported to the Commission, oversee regular audits of information filed with the Commission

3. Recommend to the Commission standard schedules of forfeitures for noncompliance

**F. Investigation** – Possible violations of campaign finance, election, ethics, lobbying laws:

1. Within limits established by the Commission, investigate violations of laws the Commission administers [§19.49 (1)]
2. Submit to the Commission the names of qualified individuals to serve as special investigators [§19.49 (2) (b) 3.]
3. Investigate or supervise investigations that the Board authorizes. [§19.49 (2) (b) 4.] Provide the Commission with periodic reports on the status of investigations. [§19.49 (2) (b) 4.]
4. Present the Commission with evidence of violations of law outside the scope of the investigation authorized that the Administrator discovers in the course of the authorized investigation [§§19.49 (2) (b) 11. and 12.]
5. At an investigation's conclusion, recommend that the Commission:
  - a. Find that probable cause exists to believe that one or more violations have occurred or are occurring, together with a recommended course of action
  - b. Terminate the investigation due to lack of sufficient evidence to indicate that a violation occurred or is occurring
  - c. Investigate the matter further [§19.49 (2) (a) 4.]
6. If the Commission finds probable cause to believe that a violation has occurred or is occurring, file a civil complaint and provide the Commission with the names of qualified individuals to serve as special counsel. [§19.49 (2) (a) 5. a.] Within categories of offenses that the Commission has prescribed, compromise and settle matters without a formal investigation, if the settlement involves a payment of \$2,500 or less. [§19.49 (2) (b) 10.]

**G. Training and education**

1. Plan and conduct training sessions for elected and appointed state officials, legislative employees, lobbyists, candidates, campaign committees, and other individuals and organizations.
2. Prepare and present training programs and instructional materials such as program guidelines, manuals, brochures, and press advisories.
3. Respond to written and oral requests for information about the Commission's procedures and the general application of Wisconsin's campaign finance, lobbying, and ethics laws.

**H. Legislation** – At the direction of and in consultation with the Commission:

1. Review legislation and legislative action.
2. Suggest changes in law for remedial legislation.

3. Develop fiscal and technical notes for legislation and bill analysis as required.
4. Appear before legislative committees as required.

**I. Agency finances and operations** – Plan, organize, and supervise the financial responsibilities and obligations of the Ethics Commission.

1. Plan, organize, and supervise the financial responsibilities of the Ethics Commission to ensure compliance with budget and procurement requirements.
2. Establish internal operating procedures to ensure the proper tracking and recording of purchases, receipts and other financial transactions of the Ethics Commission in the appropriate budget accounts:
  - a. General program operations; general purpose revenue [20.521 (1)(a)]
  - b. Investigations [20.521 (1) (be)]
  - c. Materials and service [20.521 (1) (i)]
  - d. General program operations; program revenue [20.521 (1) (g)]
  - e. Gifts and grants [20.521 (1) (h)]
3. Prepare the biennial operating budget for the Ethics Commission's approval.

**J. Staff supervision and support** – Plan, organize, and supervise the activities and responsibilities of the permanent and temporary staff of the Ethics Commission

1. Hire, supervise training, set goals and objectives, evaluate performance, and manage personnel matters of the Ethics Commission staff.
2. Provide leadership for the effectiveness and improvement of the health and safety program by developing a proper attitude toward health and safety in self and those supervised and participating in all aspects of the health and safety program.
  - a. Furnish the safeguards and resources required to ensure a healthy and safe workplace.
  - b. Ensure that the division operates with the utmost regard for the health and safety of all personnel involved.
  - c. Comply with all rules and regulations and continuously practice safety while performing all duties.
3. Advance equal employment opportunity and affirmative action principles in the program operations of the agency and the management of the employees.
4. Uphold federal and state equal opportunity laws by recognizing and taking active steps to eliminate work unit discrimination based on an employee's protected status (e.g., race, religion, gender, marital status, sexual orientation, arrest or conviction record, age, political affiliation, national origin or ancestry, creed, disability, or membership in the national guard, state defense force or any other reserve component of the military of the United States or this state).